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Attorneys for Petitioner  
RICHARD DEAN CLARK

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

RICHARD DEAN CLARK,  
Petitioner,

vs.

MICHAEL MARTEL, Acting Warden of  
California State Prison at San Quentin,  
California,

Respondent

) No. C-97-20618-JW

) STIPULATION AND ORDER FOR  
) ADDITIONAL TIME TO FILE  
) EVIDENTIARY SUBMISSION

) **DEATH PENALTY CASE**

Pursuant to the party's previous submission, discovery was to be completed and an evidentiary hearing motion filed by July 10, 2012. a further request was submitted to have the evidentiary submission completed by July 18, 2012 based on petitioner's counsel's unavailability due to the lethal injection litigation, and the absence of complete transcripts for the depositions.

Petitioner's counsel has nearly completed the evidentiary submission. It is rather lengthy and needs substantial editing. However, he has not been able to complete the briefing for personal reasons disclosed to Respondent's counsel, as well as the continuing need to attend to the lethal injection litigation. Final and certified copies of the depositions were completed by all the reporters and

1 delivered today.

2 Petitioner's counsel will be able to submit it by July 22, 2013.

3 Respondent's counsel agrees to this request.

4 Dated: July 19, 2012

Respectfully submitted,

5 JOHN R GRELE  
6 LYNNE S. COFFIN  
7 Attorneys for Petitioner  
8 RICHARD DEAN CLARK

9 By: \_\_\_\_\_/s/\_\_\_\_\_  
John R Grele


10 Dated: July 19, 2012

11 ALICE LUSTRE  
12 Attorney for Respondent

13 By: \_\_\_\_\_/s/\_\_\_\_\_  
14

14 Pursuant to stipulation, IT IS SO ORDERED.

15 Dated: July 23, 2012

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17 JAMES WARE  
18 United States Chief District Judge  
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